

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TIMOTHY SIMMS,

Plaintiff/Judgment Creditor,

v.

12FIFTEEN DIAMONDS, LLC D/B/A
DIAMOND NEXUS

Defendant/Judgment Debtor.

Case No. 4:23-cv-00813-HEA
Returnable June 5, 2024

2024 APR 10 PM 8:27

INTERROGATORIES DIRECTED TO GARNISHEE

TO: PayPal, Inc.
Serve: CT Corporation System, Registered Agent
120 S Central Ave
CLAYTON, MO 63105

Note: This garnishment is directed to any and all property belonging to and assets of Defendant and Judgment Debtor, 12Fifteen Diamonds, LLC D/B/A Diamond Nexus, 5050 W. Ashland Way, Franklin, WI 53132 including but not limited to any and all depository accounts held in the name of or for the benefit of 12Fifteen Diamonds, LLC D/B/A Diamond Nexus, any income or debts due to said Defendant and Judgment Debtor, and any other property of whatever type belonging to Defendant and Judgment Debtor individually or jointly with any other person or entity, which is in your custody or control, and which is subject to garnishment.

INSTRUCTIONS: You are to answer interrogatories UNDER OATH within ten (10) days after the return date of the writ and mail the ORIGINAL to:

Clerk, United States District Court
111 South Tenth Street, Suite 3.300
St. Louis, Missouri 63102

and a COPY to the attorney for the Judgment Creditor (or Judgment Creditor individually if there is no attorney) listed below.

THE GIBSON LAW FIRM, P.A.
4720 Salisbury Road

Jacksonville, FL 32256
Telephone: 904-493-6021 / 561-501-7858
Albert D. Gibson
Pro Hac Vice, Florida Bar No.: 50765
Primary Email: adg@gibsonlawfirm.com

Comes now Timothy Simms pursuant to Rule 69 of the Federal Rules of Civil Procedure and Rule 90.13 of the Missouri Supreme Court Rules, and exhibits the following interrogatories to be answered by the Garnishee, under oath, within ten (10) days of the returnable date.

1. At the time of service of the garnishment, had you, or have you since that time had, or have you now in your possession, custody, or charge, any goods chattels, monies, credits or effects belonging to the Defendant and Judgment Debtor, 12Fifteen Diamonds, LLC D/B/A Diamond Nexus, individually or jointly with any other person or entity? If so, state what they were or are, their value, and identify each joint or co-owner, and attach copies of any documents reflecting the identity and/or ownership of any such goods, chattels, monies, credits or effects to your answer.

Answer: No accounts found with the information provided. See enclosed letter.

2. At the time of service of the garnishment, were you, or have you since become, or are you now in any way, indebted to the Defendant and Judgment Debtor, 12Fifteen Diamonds, LLC D/B/A Diamond Nexus? If your answer is “yes,” state to what extent and in what manner the debt accrued, and if evidenced by any instrument in writing, describe the same and state what has become of the same and under whose custody it is held, and attach a copy of this instrument to your answer.

Answer: No accounts found with the information provided.

3. At the time you were summoned as Garnishee, or since that time, have you become, or are you now bound under any contracts to pay the Defendant and Judgment Debtor, directly or to any other party on account of Defendant and Judgment Debtor, any monies which are not yet due? If your answer is “yes,” state the nature of said contract, the names of the contracting parties, the amount of money to become due thereunder, when the same was or is due and payable, exactly to whom the money is due and attach a copy of said contract to your answer.

Answer: No accounts found with the information provided.

4. Have you paid to Defendant and Judgment Debtor, 12Fifteen Diamonds, LLC D/B/A Diamond Nexus, or to anyone acting as his agent, or to anyone in his behalf, or to anyone on account of Defendant and Judgment Debtor, 12Fifteen Diamonds, LLC D/B/A Diamond Nexus, any money, property or effects since the time the garnishment summons herein was served on you? If your answer is "yes," state when the same was paid, the amount and nature of said payment and to whom it was paid, in what capacity the recipient received it and if paid under the terms of a contract, attach a copy of said contract.

Answer: No accounts found with the information provided.

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/s/ Albert D. Gibson
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